

EXHIBIT D

BENJAMIN D. BROWN
NOVEMBER 08, 2024

JOB NO. 1276027

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL SPECIALTY PHARMACY
LLC.,

Plaintiff, CASE NO.
5:23-cv-4357-PCP

vs.

SAMEER PADHYE, an individual;
BENJAMIN D. BROWN, an
individual; and DOES 1 to
40, inclusive,

Defendants,

_____ /

DEPOSITION OF BENJAMIN D. BROWN
LAS VEGAS, NEVADA
FRIDAY, NOVEMBER 8, 2024

Reported by: KENDALL KING-HEATH
NV. CCR No. 475, CA. CSR No. 11861
Job No.: 1276027 NV Firm No.: 108F

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NOVEMBER 08, 2024

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vs.

SAMEER PADHYE, an individual;
BENJAMIN D. BROWN, an
individual; and DOES 1 to
40, inclusive,

Defendants,

_____ /

DEPOSITION of BENJAMIN D. BROWN,
taken on behalf of Plaintiff, at Regus -
NV Las Vegas, 3960 Howard Hughes
Parkway, Suite 500, Las Vegas, Nevada,
on Friday, November 8, 2024, at 10:03
a.m. taken before Kendall King-Heath,
Certified Court Reporter, NV Cert No.
475, and CA Cert No. 11861.

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NOVEMBER 08, 2024

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1 APPEARANCES OF COUNSEL:

2 For the Plaintiff:

3 NITTOJ P. SINGH, ESQ.
4 DHILLON LAW GROUP, INC.
5 177 Post Street
6 Suite 700
7 San Francisco, California 94108
8 (415) 533-1700
9 nsingh@dhillonlaw.com

10 For the Defendant
11 Benjamin D. Brown:

12 In Pro Per

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BENJAMIN D. BROWN
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1 Las Vegas, Nevada
2 Friday, November 8, 2024

3 -- o0o --

4 Thereupon,

09:58:40 5 BENJAMIN D. BROWN,
6 called as a witness by the Plaintiff
7 was administered an oath and was
8 examined and testified as follows:

9 EXAMINATION

09:58:40 10 BY MR. SINGH:

11 Q Good morning, Mr. Brown. Would you
12 state your full name and address for the record,
13 please.

14 A Benjamin Daniel Brown, Jr., 2858
10:03:59 15 Cabrillo Terrace Street, Henderson, Nevada
16 89044.

17 Q Have you had your deposition taken
18 before?

19 A No, sir.

10:04:11 20 Q So, as you can see, there's a court
21 reporter here. The court reporter will be
22 transcribing all of your answers. So it's
23 important that you speak evenly and in a measured
24 pace so the court reporter is able to transcribe
10:04:26 25 everything.

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1 right thing to do. That conversation I told him
2 about Taycann Wellness, T-a-y-c-a-n-n, how they
3 were a remote patient monitoring company and
4 there was no white card competition in that
10:51:27 5 business model, and I agreed to do work for them.
6 He asked me to send files of all the work I done.
7 I put it in a Dropbox link and sent it to him. I
8 have the active Dropbox link. I talked about the
9 remote patient care business model. He says
10:51:50 10 okay, good.

11 The next day -- it's detailed in my
12 answer -- he asked me, he goes, I want you to be
13 my mole. I said, Okay. What do you need?

14 I want you to contact them and ask them
10:52:09 15 what their plan is with the white card patient.
16 Cool. I sent them an e-mail, in my answer asking
17 for further information. They said, Okay. When
18 you leave NSP, we'd be happy to talk to you about
19 employment. I said okay. I continued to work
10:52:29 20 for NSP.

21 Sanjiv threatened me again, called me
22 into his office yelling and screaming at the top
23 of his lungs. "I should sue you and make you
24 spend all your money defending yourself, but I'm
10:52:45 25 not going to do it because you're a nice guy."

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1 I continued to work for him -- I almost
2 quit that day on the spot. Again, this is
3 detailed in my answer. So for the next three
4 hours, I almost quit three separate times.

10:53:02 5 I asked two days off, which I was
6 granted through Michelle Donaldson and Jamie
7 Stevens.

8 Jamie took over May's responsibilities
9 after she left, HR-wise. So I took the two days
10:53:19 10 off, Thursday and Friday of that week. I was
11 either going to give my two weeks -- work to the
12 end of the month or just find a new job.

13 Then I got a message on Slack, which is
14 a messaging software, and Sanjiv said that I have
10:53:40 15 to respond to him during working hours, even
16 though I was at home on vacation. And then I
17 decided at that point I can't put up with this
18 anymore, then I quit as outlined in my answer.

19 Q So was it your understanding that
10:54:07 20 Taycann was or was not going after white card
21 patients?

22 A As it was originally explained to me,
23 Taycann Wellness was remote patient care only.
24 So I created marketing materials focusing on
10:54:25 25 remote patient care only.

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1 The final meeting I had with them --
2 these were Google Meets -- they discussed, okay,
3 now we're going to do white card patients. And I
4 said, What? Because it was never brought up
10:54:39 5 before that point.

6 They said, Yes. We're going to partner
7 with a pharmacy in New Mexico and do white card
8 patients. So that was at the end of the meeting.

9 This pissed me off because there was no
10:54:59 10 information before that moment about white card
11 patients. And I could not work for a competing
12 business while employed with NSP.

13 So that night I actually got into a
14 fight with any girlfriend because I was angry
10:55:14 15 about it, that it felt like this was potentially
16 a plan to do white card patients, then I was told
17 at the last second about it.

18 I ceased my relationship with them. I
19 sent an e-mail, which is included in the answer,
10:55:33 20 that to May and Sameer that I can't move forward
21 because this is a violation of my employment
22 agreement to work for a competing business, and
23 that was it.

24 The next day Sanjiv called me, as I
10:55:52 25 just mentioned a few minutes ago, asked me if I

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1 knew anything about or had any contact with
2 Sameer or May and I said I had. That's when he
3 threatened me the first time. And I sent all the
4 information, acted as his mole, et cetera, all
10:56:13 5 outlined in my answer.

6 Q Did they tell you which pharmacy in New
7 Mexico they were going to partner with?

8 A No, sir. All they said, "We're going
9 to partner with a pharmacy in New Mexico and do
10:56:26 10 white card patients." That was it. No further
11 information beyond that.

12 Q Who was present for that call?

13 A May, Rayne, Sameer and myself.

14 Q Who actually said they were going to
10:56:44 15 pursue this white card with a New Mexico
16 pharmacy?

17 A It was May or Sameer; I don't recall
18 which one.

19 Q What's your understanding of how
10:56:56 20 Taycann Wellness was structured hierarchically?
21 Was there someone at the top there?

22 A I could guess at that, but I don't
23 know. I was working on business cards, and one
24 of the meetings it was discussed whether to put
10:57:16 25 titles on business cards. And Sameer said, as a

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1 start-up, we shouldn't put titles, just names.

2 As far as any structure beyond Sameer
3 being the owner, quote/unquote owner, I have no
4 clue.

10:57:34 5 Q Who told you that Sameer was the owner
6 of Taycann Wellness?

7 A No one told me. I just was my
8 assumption. If there was anybody else involved,
9 I don't have any information on that.

10:57:49 10 Q Other than Sameer, Rayne and May, you
11 don't know if anybody else was involved in
12 Taycann Wellness?

13 A No.

14 Q Who first approached you about Taycann
10:57:59 15 Wellness?

16 A I had a couple of phone calls with
17 Sameer when he was talking about starting a new
18 business. I'd been laid off with Lessen, as I
19 talked about earlier, and being laid off is not a
10:58:18 20 fun experience. So when he told me the business
21 was in trouble, was immediately looking where's
22 my next opportunity if I get laid off again.

23 So when he said I'm starting a new
24 company also in marketing, maybe I'll lay
10:58:38 25 somewhere. He was the first one to talk to me

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1 about that. When he described the business
2 model, it was remote patient care. There was no
3 mention of white card patients at all.

4 Q Did you have any discussions with May
10:58:51 5 as to what the Taycann Wellness business model
6 would be?

7 A Beyond the Google Meets and being
8 remote patient monitoring, no. Most of my
9 discussions about the business were with Sameer,
10:59:08 10 if not at all.

11 Q Did you have any discussions about the
12 business with Rayne?

13 A No. 90 percent of the communication
14 was with Sameer, and that included the meetings.
10:59:21 15 During the meetings, May and Rayne didn't talk
16 that much. It was mostly Sameer talking and me
17 responding.

18 Q Did that lead you to conclude that
19 Sameer was sort of head-honcho over at Taycann
10:59:41 20 Wellness?

21 A Yes.

22 Q And Sameer originally told you he was
23 finding the business; correct? Yes.

24 A His words were I'm going to start a new
10:59:50 25 company. I'm not sure what it is yet. That was

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1 you how they planned to implement remote patient
2 model?

3 A The only thing I was told is they would
4 partner with a doctor's office and tell them
11:33:22 5 about the services. Beyond that, there was no
6 discussion of it.

7 Q Did you have an understanding as to
8 whether Taycann Wellness itself had the
9 infrastructure to offer remote patient
11:33:37 10 monitoring?

11 A No clue, no idea.

12 Q What was your understanding of how they
13 were going to offer those services?

14 A I was not told directly, but my guess
11:33:51 15 would be they would have a call center, or they
16 would have nurses or other licensed healthcare
17 providers.

18 When I say "provider," I mean a doctor
19 or nurse, et cetera, who would coach or train the
11:34:10 20 staff to take the calls. Much like NSP had
21 pharmacy techs who would call the patients and
22 discuss things with them.

23 And the reason I know that is walking
24 through the pharmacy, I would see them on the
11:34:27 25 phone with patients saying something like, Hi Mr

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1 or Mrs. so and so, this is so and so from NSP.

2 But how they would provide that was never
3 discussed with me directly.

4 How Taycann would provide the remote
11:34:51 5 patient monitoring to as far as who would be the
6 one doing the phone call was never discussed with
7 me.

8 (Plaintiff's Exhibit 7 was marked
9 for identification.)

11:35:09 10 BY MR. SINGH:

11 Q You recognize what has been marked as
12 Exhibit 7?

13 A Yes, sir.

14 Q What is it?

11:35:17 15 A These are Taycann Wellness logos I put
16 together.

17 Q Who asked you to design these logos?

18 A Sameer/May.

19 Q They asked you to produce these logos
11:35:32 20 via text message or e-mail? How was the
21 instruction communicated?

22 A So I created these in Adobe
23 Illustrator, then I e-mailed them to mostly
24 Sameer. Sameer and May had access, and we would
11:35:53 25 review them in the meeting.

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1 Q How did they give you the instruction
2 to create these logos?

3 A We need a logo.

4 Q Was that done through person or Google
11:36:06 5 Meet?

6 A I think it was the first Google Meet.
7 They said as their first few things we need, one
8 of them is a logo. In my marketing career, I've
9 created countless logos. Starting a new company
11:36:27 10 venture, logo is one of the first things you do
11 on the marketing side.

12 (Plaintiff's Exhibit 8 was marked
13 for identification.)

14 BY MR. SINGH:

11:36:53 15 Q Take a look at what's being marked as
16 Exhibit 8. Do you recognize what's marked as
17 Exhibit 8?

18 A Yes.

19 Q What is it?

11:37:00 20 A It's an e-mail from Sameer to myself
21 about the 6:00 p.m. call about the logo.

22 Q This is a logo for Taycann Wellness?

23 A Yes, sir.

24 Q In this e-mail thread, May and Rayne
11:37:26 25 are not copied; correct?

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1 A Yes. Some of the e-mails were directly
2 between Sameer and myself. May was involved, and
3 Rayne to a lesser extent. I would say Rayne's
4 involvement in these and the decision-making was
11:37:47 5 20 percent. It was mostly Sameer and me.

6 (Plaintiff's Exhibit 9 was marked
7 for identification.)

8 BY MR. SINGH:

9 Q Take a look at what's being marked as
11:38:25 10 Exhibit 9. What is Exhibit 9?

11 A This is a flyer I designed that would
12 be e-mailed to potential doctors offices, kind of
13 explaining the Taycann Wellness business model or
14 offering.

11:38:56 15 Q Who asked you to design this flyer?

16 A Sameer.

17 Q Who gave you the content for the
18 flyer?

19 A Sameer.

11:39:10 20 Q So if we take a look at the first page
21 under the heading Remote Patient Monitoring,
22 Sameer provided you with the content that
23 follows?

24 A Yes.

11:39:25 25 Q Under the heading Chronic Care

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1 Monitoring, that was also Sameer?

2 A Yes, sir.

3 Q And How it Works, was that also
4 Sameer?

11:39:33 5 A Yes, sir.

6 Q Would you say the same generally is
7 true for the second page of the flyer, Prior
8 Quality Healthcare?

9 A Yes.

11:39:47 10 Q What is your input in this flyer that
11 Sameer provided you?

12 A Layout and design, finding the stock
13 photo of the doctor, adding the logo, laying it
14 out.

11:40:15 15 (Plaintiff's Exhibit 10 was
16 marked for identification.)

17 BY MR. SINGH:

18 Q Take a look at what's being marked as
19 Exhibit 10. What's your understanding of what
11:40:38 20 Exhibit 10 is?

21 A This is the Taycann Wellness
22 multifold.

23 Q The top it's an e-mail from you to Mr.
24 Padhye August 1st, 2023; correct?

11:40:51 25 A Yes.

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1 Q You sent Mr. Padhye this multifold?

2 A Yes.

3 Q Who created this multifold?

4 A I did.

11:41:02 5 Q Did you come up with the content of the
6 multifold?

7 A The text was -- the layout and the
8 design was me. The text was supplied by
9 Sameer.

11:41:18 10 Q So on the first page of multifold
11 there's a heading that says we provide quality
12 remote care for your patients.

13 Is it your testimony that the content
14 that follows the text was all provided by Mr.
11:41:37 15 Padhye?

16 A Yes.

17 Q Even on page 2, the text that follows
18 all the headings, that was also provided by Mr.
19 Padhye?

11:41:44 20 A Yes.

21 (Plaintiff's Exhibit 11 was
22 marked for identification.)

23 BY MR. SINGH:

24 Q Take a look at what's being marked as
11:42:22 25 Exhibit 11. What is Exhibit 11?

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1 A It's an e-mail from May about changing
2 the photo of the doctor because he had a chain
3 around his neck.

4 Q Mr. Padhye isn't copied on this e-mail
11:42:40 5 thread; correct?

6 A Correct.

7 Q Was Mr. Padhye involved in these
8 discussions?

9 A This particular one, no, but it was a
11:42:49 10 small change. But he was involved in 99.9
11 percent of all discussions I had. I think this
12 might have been the only one.

13 Q Did Ms. Sana provide any input to the
14 text of any of the marketing material you were
11:43:12 15 asked to provide?

16 A She mentioned something about you can't
17 have some certain words in healthcare marketing,
18 so there was an edit to mention any cost or
19 savings.

11:43:26 20 Q Did Ms. Bridges provide any input to
21 the marketing materials you were providing?

22 A No, sir. Feedback, yes. No input.

23 Q Did Ms. Bridges provide any of the
24 content?

11:43:42 25 A No.

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1 (Plaintiff's Exhibit 12 was
2 marked for identification.)

3 BY MR. SINGH:

11:44:22 4 Q Take a look at has been marked as
5 Exhibit 12. Do you recognize Exhibit 12?

6 A Yes.

7 Q What is Exhibit 12?

8 A These are Medicare marketing laws and
9 information about these laws that May sent me.

11:44:47 10 Q Did you have a discussion with May
11 about these laws?

12 A Beyond -- I read these, that was about
13 it.

14 Q Did you discuss these marketing laws
11:45:03 15 with Mr. Padhye?

16 A I use these as a guideline to make sure
17 when we created any materials, it wouldn't
18 violate any of these. Beyond that, I don't
19 recall any discussions with anyone. I pretty
11:45:32 20 much read them and that was it.

21 (Plaintiff's Exhibit 13 was
22 marked for identification.)

23 BY MR. SINGH:

24 Q Do you recognize what's being marked as
11:46:09 25 Exhibit 13?

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1 A Yes.

2 Q What's Exhibit 13?

3 A It's an update e-mail on the Taycann
4 Wellness materials.

11:46:16 5 Q So the e-mail references a website
6 mock-up that's created?

7 A Yes. The mock-up was done in PDF as
8 discussed. No website. No live website was
9 created.

11:46:33 10 Q Then there's the revised PDF and
11 multifold done. Do you see that?

12 A Yes.

13 Q Were those of the multifolds and others
14 that we looked at today?

11:46:49 15 A Yes. The PDF is the doctor with the
16 chain on his neck and the multifold was the other
17 multi-image piece.

18 Q At the bottom of the e-mail you
19 reference creating business cards?

11:47:01 20 A Yes.

21 Q Were those business cards created?

22 A The mock-ups were created, but as far
23 as getting them printed or anything, I don't have
24 any information on that.

11:47:13 25 Q With the mock-ups you created, I think

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1 it was your testimony there's no title for any of
2 these individuals; is that correct?

3 A There were titles discuss originally.
4 I don't recall -- I think I asked if people
11:47:28 5 should have titles on these, and that's when
6 Sameer says, As a startup, we generally don't put
7 titles on in the beginning stages.

8 Q You mentioned that titles were
9 discussed. Were any particular titles for any
11:47:47 10 individuals or just the general concept of
11 titles?

12 A General concept of titles.
13 (Plaintiff's Exhibit 14 was
14 marked for identification.)

11:48:16 15 BY MR. SINGH:

16 Q Do you recognize what's marked as
17 Exhibit 14?

18 A Yes.

19 Q What is Exhibit 14?

11:48:25 20 A This is a discussion about building the
21 mock-up for the website.

22 Q Ms. Bridges and Ms. Sana were not
23 copied on this e-mail thread; correct?

24 A Correct.

11:48:53 25 Q But they were copied on this first

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1 thread. That's what we looked at?

2 A I don't know if it's the first thread.
3 There were times when he would e-mail me
4 directly, and there were times when other people
11:49:07 5 would be added.

6 Q When you say he would e-mail you
7 directly, you're Mr. Padhye?

8 A Sameer. There were times when Sameer
9 would e-mail me directly, and other times Rayne
11:49:21 10 and May would be added on to the e-mail chain.

11 (Plaintiff's Exhibit 15 was
12 marked for identification.)

13 BY MR. SINGH:

14 Q Take a look at what is being marked as
11:50:05 15 Exhibit 15. Do you recognize Exhibit 15?

16 A Yes.

17 Q What is Exhibit 15?

18 A I think it's a review on the website.
19 Yes, it's a review on the website mock-up.

11:50:21 20 Q This is for Taycann Wellness?

21 A Yes.

22 Q I want to direct your attention to that
23 first paragraph on the top of the e-mail. About
24 four lines down Mr. Padhye writes, "For example,
11:50:38 25 instead of enroll now, we should say register to

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1 see a demo." Do you see that?

2 A Yes.

3 Q The following sentence says, "The
4 process is a few steps before we can enroll them
11:50:50 5 as a customer."

6 What's your understanding of why Mr.
7 Padhye wanted this changed?

8 A I don't understand. I don't know
9 why.

11:50:58 10 Q Did you discuss this on the phone with
11 him?

12 A I don't recall, I don't think so.
13 Usually when you design a website, there's a call
14 to action -- buy now, learn more.

11:51:20 15 The Enroll Now was the call to action.
16 As far as other steps beyond that, I'm not aware.

17 Q Right above the sentence we just talked
18 about. Mr. Padhye wrote, Few minor
19 recommendations, we can discuss over the phone
11:51:34 20 tomorrow.

21 To the best of your recollection, did
22 you discuss the following change about enroll now
23 versus register during that phone call?

24 A Don't recall specifically. As far as
11:51:45 25 any process involved in enrolling, I have no

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1 information on that.

2 Q What's your understanding of who the
3 customers of Taycann Wellness were?

4 A Doctors offices.

11:52:33 5 (Plaintiff's Exhibit 16 was
6 marked for identification.)

7 BY MR. SINGH:

8 Q Do you recognize what's marked as
9 Exhibit 16?

11:52:36 10 A Yes.

11 Q What is it?

12 A This is Rayne asking me to do some
13 marketing materials for a side business that she
14 had.

11:52:49 15 Q What's your understanding of what that
16 side business was?

17 A Beyond what's written here in the
18 e-mail, it says, "Consulting for providers and
19 pharmacies to help grow their practices."

11:53:08 20 This was the only communication we had
21 in regards to this.

22 Q Did you provide any work-product for
23 her side business?

24 A No, sir.

11:53:21 25 Q Did you have any discussions with her

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1 concerning providing work-product for her side
2 business?

3 A No, sir, not beyond what's listed here.
4 (Plaintiff's Exhibit 17 was
11:53:44 5 marked for identification.)

6 BY MR. SINGH:

7 Q Do you recognize what's being marked as
8 Exhibit 17?

9 A It's an RPM calculator. I think Remote
11:54:15 10 Patient Monitoring calculator.

11 Q This is an e-mail where May Sana sent
12 you this RPM calculator in August 2023?

13 A Yes.

14 Q There's a link there that directs you
11:54:38 15 to Renounce, P-r-e-v-o-u-n-c-e.com domain. Do
16 you see that with additional text thereafter?

17 A Yes.

18 Q What is Prevounce.com?

19 A I don't really know. She sent me this
11:55:18 20 link. I think I clicked on it for one or two
21 seconds, and I couldn't tell you anymore than. I
22 don't know anymore information about it than
23 that.

24 Q Do you recall what you saw when you
11:55:33 25 clicked on the link?

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1 A No.

2 Q Did you have any further discussions
3 with Maybelline Sana regarding this RPM
4 calculator?

11:55:44 5 A No.

6 Q Had you any discussions prior to this
7 e-mail being sent regarding this RPM
8 calculator?

9 A No.

11:55:54 10 Q So she just sent you out this out of
11 the blue?

12 A I think so. If there were discussions,
13 it might have been in the meeting and said, I'll
14 send you this, but I don't recall much about this
11:56:05 15 at all.

16 Q Do you have any understanding as to the
17 objective of an RPM calculator generally?

18 A No.

19 (Plaintiff's Exhibit 18 was
11:56:39 20 marked for identification.)

21 BY MR. SINGH:

22 Q Do you recognize what is marked as
23 Exhibit 18?

24 A Yes.

11:56:56 25 Q What is it?

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1 A This is an e-mail ending my
2 relationship with Sameer, May and Rayne, and
3 Taycann Wellness, describing that I thought the
4 business was just remote care. But they -- in
11:57:21 5 the final meeting at the end of the final meeting
6 when they mentioned "white card patients as
7 previously mentioned, I said I can't move forward
8 because it's a violation of my work agreement to
9 consult with a competing business.

11:57:40 10 Q So you sent this e-mail to Mr. Padhye
11 and Ms. Sana on August 10; correct?

12 A Yes, sir.

13 Q Any reason you didn't copy Ms. Bridges
14 on this e-mail?

11:57:50 15 A She wasn't one of the main people I
16 would say. My understanding, this is Sameer, and
17 a lesser extent May, who was running the ship,
18 and Rayne to a much lesser extent.

19 Q So you write in this e-mail, "But when
11:58:17 20 I found out on Monday night that white card
21 patients would be a part of it, I just can't move
22 forward." Do you see that?

23 A Yes, sir.

24 Q So is that the Monday night immediately
11:58:33 25 preceding this e-mail?

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1 A Yes.

2 Q Safe to say that that meeting where
3 they told you about the white card program was on
4 the evening of August 7, 2023?

11:58:42 5 A If that's the Monday, yes. Thursday
6 would be the 10th, Wednesday would be the 9th,
7 Tuesday would be the 8th. Yes, Monday the 7th,
8 sorry.

9 Q Just to confirm, this was the Google
11:59:05 10 Meet we previously talked about where they
11 informed you of their plans to partner with the
12 New Mexico pharmacy?

13 A Yes.

14 Q Other than working with the New Mexico
11:59:29 15 pharmacy, did they describe how they would be
16 seeking white card business?

17 A No.

18 Q Did they tell you that they were going
19 to approach white card patients solely for
11:59:46 20 chronic care management or remote patient
21 monitoring?

22 A No.

23 (Plaintiff's Exhibit 19 was
24 marked for identification.)

12:00:18 25 BY MR. SINGH:

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1 Q You recognize what's being marked as
2 Exhibit 19?

3 A Yes.

4 Q What is Exhibit 19?

12:00:24 5 A It's an e-mail that Sanjiv asked me to
6 send in an effort to get more information about
7 Taycann Wellness and their plans for white card
8 patients.

9 Q This was sent the day after the last
12:00:45 10 e-mail we discussed, right, where you advised
11 Sameer and May that you couldn't move forward
12 with Taycann Wellness?

13 A Yes.

14 Q Other than the e-mail we previously
12:01:00 15 discussed from Maybelline Sana, did you have any
16 other response from this e-mail?

17 A No.

18 Q Did Mr. Padhye respond at all to you in
19 this e-mail?

12:01:13 20 A No.

21 Q And that's in any capacity, via text or
22 phone call, anything?

23 A After I sent the e-mail, Sameer called
24 me two or three times, and I blocked his number.
12:01:33 25 I did not take the phone calls.

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1 can't recall his attorney. It wasn't Rich. It
2 was Dana Feinberg, and there was another guy that
3 was in Virginia, and I had a conversation with
4 him.

12:04:48 5 Q Was the conversation with one of Mr.
6 Padhye's attorneys?

7 A Yes, sir.

8 Q What was the subject matter of that
9 communication?

12:04:58 10 A I think it was a meet and confer,
11 maybe, but no details of the case other than what
12 was submitted in my answer were discussed.

13 Q So other than that particular
14 conversation, have you had any other
12:05:14 15 conversations with counsel for Mr. Padhye,
16 Ms. Bridges or Ms. Sana?

17 A No, sir.

18 (Plaintiff's Exhibit 21 was
19 marked for identification.)

12:05:26 20 BY MR. SINGH:

21 Q Take a look at what's being marked as
22 Exhibit 21.

23 (Witness reviewing document.)

24 Do you know what is marked as Exhibit
12:06:03 25 21?

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1 A Yes.

2 Q What is Exhibit 21?

3 A That was information provided to me by
4 Sameer about Taycann Wellness.

12:06:13 5 Q Was this a PowerPoint presentation?

6 A I think so. It's either PowerPoint or
7 just a PDF.

8 Q Did you draft this?

9 A No, sir.

12:06:23 10 Q Were you involved with the creation of
11 any of the content within Exhibit 21?

12 A Creation, no, not that I recall.

13 Q Is it your recollection that Mr. Padhye
14 sent this to you?

12:06:42 15 A Yes.

16 Q Did you discuss this presentation --
17 strike that -- this exhibit with anyone other
18 than Mr. Padhye?

19 A No. And this is the source material
12:06:54 20 for creating the text on the multifold website
21 mock up, et cetera, to the best of my
22 recollection.

23 Q Generally you would use this PDF to
24 inform the other materials you were asked to
12:07:28 25 prepare?

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1 A Yes. Sameer would provide the text,
2 and the information, and I would lay it out in
3 the document using his text and his
4 information.

12:07:41 5 Q There's a slide in here that's titled
6 "Security and Compliance." It's about four pages
7 from the back. Do you see that?

8 A Yes.

9 Q The second bullet says Regulatory
12:08:08 10 Compliance, and it says, "Managed service
11 providers adhere to strict industry regulations
12 such as HIPAA, and HITECH, relieving healthcare
13 providers of compliance-related burdens and
14 potential legal risks." Do you see that?

12:08:25 15 A Yes.

16 Q Did you draft that content?

17 A No.

18 Q Did Mr. Padhye provide that to you?

19 A Yes.

12:08:32 20 Q Did you discuss this content with Mr.
21 Padhye?

22 A I think I asked what HITECH was.
23 Before he provided me with that information, I
24 wasn't aware what HITECH was, and I think he told
12:08:44 25 me. But beyond that I heard of HIPAA laws in pop